

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 2:09CR19-P-S

JOSEPH WILLIAMS

ORDER

This cause is before the Court on the defendant's Motion for Continuance of Trial [26]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

William's counsel avers that he has been unable to locate an essential witness in order to serve him with a subpoena for trial despite diligent efforts on his part. The government does not oppose the requested continuance. Based on the foregoing, the Court finds that the motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(3)(A), the period of delay from February 22, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(3)(A) because, given the circumstances described above, a continuance is necessary to allow defendant to secure the appearance of a witness essential to his defense.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance of Trial [26] is GRANTED;
2. That the trial of this matter is continued until Monday, March 29, 2010 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire

- is to be held at the same time and place;
3. That the delay from February 22, 2010 until March 29, 2010 is excluded as set out above;
 4. That the deadline for filing pretrial motions is March 8, 2010;
 5. That the deadline for submitting a plea agreement is March 15, 2010.

SO ORDERED, this the 22nd day of February, 2010.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE